

**Transfers and Withdrawals****TEACHER TO ASCERTAIN REASON**

When a pupil of compulsory school age withdraws from school, the teacher of the pupil shall ascertain the reason.<sup>1</sup>

**REPORT TO PRINCIPAL**

The teacher shall immediately report the withdrawal and the reason for it to the Principal.

**CHANGE OF RESIDENCE**

If the child has withdrawn because of residence, the next residence shall be ascertained and included in the report. KSB/KSD shall notify the Kentucky Department of Education when a new student enrolls.<sup>1</sup> The District will convene an ARC with the receiving LEA to change the district of residence.

**MISSING CHILDREN**

The Principal shall notify the Justice Cabinet of any request for the records of a student who has been flagged as missing.<sup>1</sup>

**PERMISSION REQUIRED**

Prior to withdrawal of a student, the District will convene an ARC in conjunction with the student's LEA.

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate his/her education prior to graduation, s/he shall comply with the requirements of KRS 159.010.

A written permission for withdrawal shall be required from the parent, guardian, or other person residing in the state and having custody or charge of the student before the unmarried student may withdraw.

No written permission for withdrawal shall be required after the student's eighteenth (18th) birthday.<sup>2</sup>

Beginning with the 2015-2016 school year, students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.<sup>2</sup>

**FOLLOW-UP BY DISTRICT PERSONNEL**

Within three (3) months of the date of a student's withdrawal from school, KSB/KSD personnel designated by the Principal shall contact each student who has withdrawn from school to encourage reenrollment. If the student does not reenroll at that time, personnel shall make at least one (1) more attempt toward reenrollment of the student before the beginning of the next school year.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 159.170; KRS 158.032

<sup>2</sup>KRS 159.010; KRS 159.020

**RELATED POLICY:**

09.122

Adopted/Amended:  
Order #:

### **Admissions and Attendance**

Decisions concerning placement at/admission to KSB or KSD are made subject to applicable state and federal law and after full consideration of the obligation of local districts to provide educational services in the least restrictive environment.

#### **HOMELESS CHILDREN AND YOUTH**

The District shall provide educational and related services to homeless children and youth in a manner that does not segregate or stigmatize students on the basis of their homeless status.

The District shall provide its schools with guidelines that detail the rights of homeless students and the responsibilities that schools have to meet their needs and eliminate barriers to school attendance. These guidelines shall emphasize the right of homeless students to:

1. Have equal access to all educational programs and services, including transportation, that non-homeless students enjoy;
2. Continue attending their school of origin for the duration of homelessness;
3. Attend regular public school with non-homeless students; and
4. Continue to receive all services for which they are eligible (i.e., special education, gifted and talented, limited English proficient).

The District shall designate an appropriate staff person to serve as liaison to homeless children and youth. The District liaison must provide public notice of the educational rights of homeless children in places where they receive services.<sup>1</sup>

#### **IMMIGRANTS**

No student shall be denied enrollment based on his/her immigration status, and documentation of immigration status shall not be required as a condition of enrollment.

The District may provide an approved high school program to a student who is a refugee or legal alien until the student graduates or until the end of the school year in which the student reaches the age of twenty-one (21), whichever comes first.

#### **NON-IMMIGRANT FOREIGN STUDENTS**

Non-immigrant foreign students qualifying for F-1 immigration status or who obtain an F-1 student visa may be admitted to the District based on the following guidelines:

1. These students shall not be permitted to attend any publicly funded adult education program.
2. These students may be permitted to attend in grades nine through twelve (9-12), but not at earlier grade levels.
3. As required by law, these students shall pay a tuition fee equal to the full, unsubsidized per capita cost to the District for providing education to the student for the period of attendance.
4. The period of attendance shall not exceed twelve (12) months.

These requirements do not apply to immigrant students residing in the District or foreign students in any other immigration status, including exchange students.

**Admissions and Attendance****EXPULLED/CONVICTED STUDENTS**

The parent, guardian, Principal, or other person or agency responsible for the student shall provide to the school prior to admission, a sworn statement or affirmation concerning any of the following that have occurred in or outside Kentucky:

1. If a student has been expelled from school; or
2. If a student has been adjudicated guilty/convicted of, homicide, assault, or an offense in violation of state law or school regulations relating to weapons, alcohol, or drugs.

Assault shall mean any physical assault, including sexual assault.

The sworn statement or affirmation shall be on a form provided by the appropriate state agency and shall be sent to the receiving school within five (5) working days of official notification that a student has requested enrollment in the new school.<sup>2</sup>

If a student is suspended or expelled for any reason, or faces charges that may lead to suspension or expulsion, but withdraws prior to a hearing from any public or private school in Kentucky or any other state and then moves into the District and seeks to enroll, the District shall review the details of the charges, suspension, or expulsion and determine if the student will be admitted, and if so, what conditions may be imposed upon the admission. Prior to a decision to deny admission, the District shall offer the student, parent/guardian, or other persons having legal custody or control of the student a hearing before the Board.

**REFERENCES:**

<sup>1</sup>42 U.S.C. 11431 et seq. (McKinney-Vento Act)

<sup>2</sup>KRS 158.155; KRS 157.330, KRS 158.150

**KRS 157.360; KRS 158.100**

KRS 158.120; OAG 80-47; OAG 79-327; OAG 75-602

KRS 159.010; OAG 78-64

704 KAR 7:090; OAG 91-171

Public Law 104-208; P. L. 107-110 (No Child Left Behind Act of 2001)

8 U.S.C. Sections 1101 and 1184; 8 C.F.R. Section 214

*Plyler v. Doe*, 457 U.S. 202 (1982)

Equal Educational Opportunities Act of 1974 (EEOA)

**RELATED POLICIES:**

09.11, 09.123, 09.124, 09.125, 09.211

Adopted/Amended:  
Order #:

**Entrance Age**

**PROOF OF AGE**

Upon enrollment for the first time in KSB/KSD, a student or student's parent shall provide:

- A certified copy of the student's birth certificate, or
- Other reliable proof of the student's identity and age with an affidavit explaining the inability to produce a copy of the birth certificate.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 158.032; KRS 158.035; KRS 214.034

**RELATED POLICIES:**

08.22

Adopted/Amended:  
Order #:

## **Attendance Requirements**

### **COMPULSORY ATTENDANCE**

All children in the district who have entered kindergarten or who are between the ages of six (6), as of October 1, and sixteen (16), except those specifically exempted by statute, shall enroll and be in regular attendance in the schools to which they are assigned. Beginning with the 2015-2016 school year, students between the ages of six (6) and eighteen (18) shall enroll and be in regular attendance in the schools to which they are assigned and shall be subject to compulsory attendance.<sup>1</sup>

Before an unmarried student between the ages of sixteen (16) and eighteen (18) may withdraw from school and terminate education prior to graduation, s/he shall confer with the Principal or designee, and s/he shall secure written permission from her/his parents, guardian, or other person residing in the state and having custody or charge of the student.<sup>1</sup> (See Board Policy 09.111.)

### **PHYSICIAN'S STATEMENT REQUIRED**

KSB/KSD in conjunction with the LEA, before granting an exemption, shall require a signed statement as required by law unless a student's individual education plan (IEP) specifies that placement of the child with a disability at home or in a hospital is the least restrictive environment for providing services.<sup>2</sup>

### **EXCEPTIONS TO PRESENCE AT SCHOOL**

Students must be physically present in school to be counted in attendance, except under the following conditions:

1. Students shall be counted in attendance when they are receiving home/hospital, institutional,<sup>2</sup> or court-ordered instruction in another setting.
2. Students may participate in cocurricular activities and be counted as being in attendance during the instructional school day, provided the Principal/designee has given prior approval to the scheduling of the activities. Approval shall be granted only when cocurricular activities and trips are instructional in nature, directly related to the instructional program, and scheduled to minimize absences from classroom instruction.<sup>4</sup>
3. Students participating in an off-site virtual high school class or block may be counted in attendance in accordance with requirements set out in Kentucky Administration Regulation.<sup>4</sup>
4. Students having an individual education plan (IEP) that requires less than full-time instructional services shall not be required to be present for a full school day.<sup>4</sup>
5. Students who attend classes for moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school work required by law. Students shall not be penalized for any school work missed during the specified moral instruction time.<sup>5</sup>

**Attendance Requirements****EXCEPTIONS TO PRESENCE AT SCHOOL (CONTINUED)**

6. Students participating as part of a school-sponsored interscholastic athletic team, who compete in a regional or state tournament sanctioned by the Kentucky Board of Education or KHSAA, that occurs on a regularly scheduled student attendance day shall be counted and recorded present at school on the date or dates of the competition, for a maximum of two (2) days per student per school year. Students shall be expected to complete any assignments missed on the date or dates of the competition.<sup>6</sup>

**REFERENCES:**<sup>1</sup>KRS 159.010; OAG 85-55<sup>3</sup>KRS 159.035<sup>4</sup>702 KAR 7:125<sup>5</sup>KRS 158.240<sup>6</sup>KRS 158.070

KRS 159.180; KRS 159.030; KRS 159.990

OAG 79-68; OAG 79-539

OAG 87-40; OAG 97-26

**RELATED POLICIES:**

08.131; 08.1312

09.111; 09.123; 09.36

Adopted/Amended:  
Order #:

**Part-Time Students**

KSB/KSD and the LEA will consider a shortened school day only for kindergarten students and for students with an individual education plan or 504 plan that supports a shortened day.

**REFERENCES:**

KRS 339.210

KRS 339.220

KRS 339.230

KRS 339.360

702 KAR 7:125

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

Individuals with Disabilities Education Improvement Act (IDEA)

**RELATED POLICIES:**

08.131

08.31

09.13

Adopted/Amended:

Order #:

**Absences and Excuses**

Pupils are required to attend regularly and punctually the school in which they are enrolled. Recording of absences and tardies shall be made in compliance with the requirements of 702 KAR 7:125.<sup>1</sup>

**TRUANCY DEFINED**

Any student who has attained the age of six (6), but has not reached his/her eighteenth (18<sup>th</sup>) birthday, who has been absent from school without valid excuse for three (3) days or more, or tardy without valid excuse on three (3) days or more, is a truant.

Any student enrolled in a public school who has attained the age of eighteen (18) years, but has not reached his/her twenty-first (21<sup>st</sup>) birthday, who has been absent from school without valid excuse for three (3) or more days, or tardy without valid excuse on three (3) or more days, is a truant.

A student who has been reported as a truant two (2) or more times is an habitual truant.

For the purposes of establishing a student's status as a truant, a student's attendance record is cumulative for an entire school year. When students transfer from one Kentucky district to another, attendance information from the previous district shall become part of their official attendance record for that school year.

A student's parents and LEA are notified when a student is identified as truant or as a habitual truant.

**EXCUSED ABSENCES**

An excused absence or tardiness is one for which work may be made up, such as:

1. Death or severe illness in the pupil's immediate family,
2. Illness of the pupil,
3. Religious holidays and practices,
4. One (1) day for attendance at the Kentucky State Fair,
5. Documented military leave,
6. One (1) day prior to departure of parent/guardian called to active military duty,
7. One (1) day upon the return of parent/guardian from active military duty,
8. Visitation for up to ten (10) days with the student's parent, de facto custodian, or person with legal custody who, while on active military duty stationed outside of the country, is granted rest and recuperation leave, or
9. Other valid reasons as determined by the Principal, including trips qualifying as educational enhancement opportunities.

Students shall be granted an excused absence for up to ten (10) school days to pursue an educational enhancement opportunity determined by the Principal to be of significant educational value. This opportunity may include, but not be limited to, participation in an educational foreign exchange program or an intensive instructional, experiential, or performance program in one (1) of the core curriculum subjects of English, science, mathematics, social studies, foreign language, and the arts.

Unless the Principal determines that extenuating circumstances exist, requests for date(s) falling within State or District testing periods shall not be granted.



**Absences and Excuses****EXCUSED ABSENCES (CONTINUED)**

The Principal's determination may be appealed to the KSB/KSD State Supervisor whose decision may then be appealed to the Board under its grievance policy and procedures.

Students receiving an excused absence under this section shall have the opportunity to make up school work missed and shall not have their class grades adversely affected for lack of class attendance or class participation due to the excused absence.

**UNEXCUSED ABSENCES**

Work may be made up for unexcused absences in compliance with KSB/KSD policy.

**REFERENCES:**

<sup>1</sup>702 KAR 7:125

KRS 36.396, KRS 38.470, KRS 40.366

KRS 158.070, KRS 158.183, KRS 158.293, KRS 158.294

KRS 159.035, KRS 159.140, KRS 159.150, KRS 159.180

OAG 76-566, OAG 79-68, OAG 79-539, OAG 91-79, OAG 96-28

**RELATED POLICIES:**

09.111, 09.122, 09.4281

Adopted/Amended:  
Order #:

**Dismissal from School****RELEASE OF STUDENTS**

At any time students are dismissed from school, they shall be released according to the written instructions provided by the custodial parent/guardian. The instructions, which shall be requested at the time the student registers/enrolls for the school year, shall include the student's regular mode of transportation at the end of the day and a list of persons, in addition to the custodial parent/guardian, who are authorized to pick up the child from school. Any deviation from the authorized release process must be approved by the Principal/designee prior to the student departing school in another manner.

It shall be the responsibility of the custodial parent/guardian to notify the school in writing if release instructions are to be revised. If written instructions are not provided to the school, the student shall only be released to ride home on the assigned bus or with the custodial parent/guardian.

Any student who leaves the school grounds at any time without proper authorization shall be subject to appropriate disciplinary action.

**RELEASE PROCESS**

If the student is to be picked up early, the custodial parent/guardian or designee shall report to the Principal's office and sign for the student's release.

Each school shall maintain a daily entry and exit log of students signing in late or signing out early and shall require proof of identification from individuals (visual identification by an employee, driver's license, picture identification, etc.) to assure that they are authorized to pick up the student.

Those students who are not on record as being under the care or control of a parent/guardian may sign for their own dismissal.

**EXCEPTIONS**

A student may be released to a person with lawful authority to take custody of the student, e.g., a police officer with a warrant. In such case, the student's parent shall be notified at the earliest opportunity.

In addition, KSB/KSD authorizes emergency release of students for illness or other bona fide reasons, as determined by the Principal.

**REFERENCE:**

702 KAR 7:125

**RELATED POLICIES:**

09.12311; 09.432

09.434; 10.5

Adopted/Amended:  
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**Release of Students and Student Information to  
Divorced, Separated, or Single Parents**

KSB/KSD shall release the student or information concerning the student to a parent, guardian, or individual acting as a parent of a student in the absence of a parent or guardian unless the school has been provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legally binding document which provides instruction to the contrary.

Release of the student or information concerning the student to a single parent or a divorced/separated parent will be accomplished according to the following procedures:

Unless the school has been informed and given evidence of state law or court order concerning the status of the student:

1. Both parents shall have equal access to any information concerning the students.
2. Both parents shall have the right to release of the student under their care.

**REFERENCES:**

20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67  
OAG 85-130, OAG 90-52

**RELATED POLICIES:**

01.0  
09.14

Adopted/Amended:  
Order #:

**Equal Educational Opportunities****DISCRIMINATION PROHIBITED**

No pupil shall be discriminated against because of age, color, disability<sup>1</sup>, race, national origin, religion, sex, or veteran status.

**STUDENTS WITH DISABILITIES**

KSB/KSD shall provide a free, appropriate public education to each qualified student with a disability, as defined by law, within its jurisdiction.

KSB/KSD shall operate its programs in accordance with the procedures addressing requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

Parents of students who have a temporary or permanent disability may request the Principal/State supervisor to provide appropriate accommodations necessary for them to participate in instructional and extracurricular activities, as required by law. Students who are at least eighteen (18) years of age may submit their own requests.

**RELIGIOUS ACTIVITIES**

KSB/KSD shall observe the rights of students to voluntarily engage in religious activities or express religious viewpoints while at school, as established by the United States Constitution and law, provided they do not:

1. Infringe on the rights of the school to:
  - a. Maintain order and discipline;
  - b. Prevent disruption of the educational process; and
  - c. Determine education curriculum;
2. Harass other persons or coerce other persons to participate in the activity; or
3. Otherwise infringe on the rights of other persons.

Student complaints concerning possible violations of their religious rights shall be addressed in keeping with legal requirements. Their complaints shall be directed to the Principal, who shall investigate and take appropriate action within thirty (30) days of receipt of the written notification.

**REFERENCES:**

<sup>1</sup>Bd. of Educ., etc. v. Rowley 102 S.Ct. 3034 (1982)  
KSB/KSD special education policy and procedures manual; KSB/KSD 504 procedures  
KRS 157.200; KRS 157.224; KRS 157.226; KRS 157.230; KRS 157.350  
KRS 158.183; KRS 160.295; Age Discrimination Act of 1975  
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act  
Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972  
Vietnam Era Veterans Readjustment Assistance Act of 1974  
Kentucky Education Technology System (KETS); 28 C.F.R. Section 35.101 et seq.

**RELATED POLICIES:**

03.113, 03.212, 05.11, 08.131, 09.3211

Adopted/Amended:  
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LEGAL: KENTUCKY SENATE BILL 200 PROVIDES FERPA-COMPLIANT STATUTORY LANGUAGE ENABLING SCHOOL DISTRICTS TO RELEASE STUDENT RECORD INFORMATION TO KENTUCKY JUVENILE JUSTICE SYSTEM AGENCIES WHEN A COMPLAINT IS FILED IN ORDER TO ALLOW THE JUVENILE JUSTICE SYSTEM TO EFFECTIVELY SERVE THE CHILD PRIOR TO ADJUDICATION.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.14

### **Student Records**

Data and information about students shall be gathered to provide a sound basis for educational decisions and to enable preparation of necessary reports.

#### **PROCEDURE TO BE ESTABLISHED**

The Principal shall establish procedures to promote effective notification of parents and eligible students of their rights under the Family Educational Rights and Privacy Act (FERPA) and to ensure compliance with applicable state and federal student record requirements.

#### **DISCLOSURE OF RECORDS**

Student records shall be made available for inspection and review to the parent(s) of a student or to an eligible student on request. Eligible students are those 18 years of age or older or those duly enrolled in a post-secondary school program. In general, FERPA rights pass to the eligible student upon either of those events. Parents may be provided access to the educational records of an eligible student 18 years old or older if the student is dependent under federal tax laws.<sup>1</sup>

Upon written request, parents or eligible students may be provided copies of their educational records, including those maintained in electronic format, when necessary to reasonably permit inspection. Such copies shall be provided in a manner that protects the confidentiality of other students. A reasonable fee may be charged for copies.

KSB/KSD personnel must use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom KSB/KSD discloses personally identifiable information from education records.

In addition, considering the totality of the circumstances, KSB/KSD may disclose information from education records to appropriate parties, including parents of eligible students, whose knowledge of the information is necessary to protect the health or safety of a student or another individual, if there is an actual, impending, or imminent articulable and significant threat to the health or safety of a student or other individual. In such instances, the basis for a decision that a health or safety emergency existed shall be recorded in the student's education records.

Authorized KSB/KSD personnel also may disclose personally identifiable information to the following without written parental consent:

- Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- Authorized representatives of a Kentucky state child welfare agency if such agency presents to KSB/KSD an official court order placing the student whose records are requested under the care and protection of said agency. The state welfare agency representative receiving such records must be authorized to access the child's case plan.

**Student Records****DISCLOSURE OF RECORDS (CONTINUED)**

- School officials (such as teachers, instructional aides, administrators) and other service providers (such as contractors, consultants, and volunteers used by KSB/KSD to perform institutional services and functions) having a legitimate educational interest in the information.

KSB/KSD and school officials/staff may only access student record information in which they have a legitimate educational interest.

Contractors, consultants, volunteers, and other parties to whom KSB/KSD has outsourced services or functions may access student records provided they are:

- Under KSB/KSD's direct control with respect to the use and maintenance of education records; and
- Prohibited from disclosing the information to any other party without the prior written consent of the parent/eligible student, or as otherwise authorized by law.

**DISCLOSURE TO REPRESENTATIVES FOR FEDERAL OR STATE PROGRAM PURPOSES**

Personally identifiable student information may be released to those other than employees who are designated by the Principal in connection with audit, evaluation, enforcement, or compliance activities regarding Federal or State programs. Such designation must be executed in writing with the authorized representative and specify information as required by 34 C.F.R. Part 99.35.

**DUTY TO REPORT**

If it is determined that KSB/KSD cannot comply with any part of FERPA or its implementing regulations due to a conflict with state or local law, KSB/KSD must notify the Family Policy Compliance Office (FPCO) within forty-five (45) days of the determination and provide the text and citation of the conflicting law.

**DIRECTORY INFORMATION**

The Principal is authorized to release student directory information. Approved "directory information" shall be: name, address, phone number, date and place of birth, student's school email address, major field of study, participation in officially recognized activities and sports, photograph/picture, grade level, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, and most recent educational institution attended. Any eligible student or parent/guardian who does not wish to have directory information released shall notify the Superintendent/designee in writing within thirty (30) calendar days after receiving notification of FERPA rights.

KSB/KSD allows for disclosure of directory information only to specific parties for specific purposes. Such limitations are specified in the student directory information notification.

Unless the parent/guardian or secondary school student requests in writing that KSB/KSD not release such information, the student's name, address, and telephone number (if listed) shall be released to Armed Forces recruiters upon their request.

**Student Records****SURVEYS OF PROTECTED INFORMATION**

KSB/KSD shall provide direct notice to parents/guardian to obtain prior written consent for their minor child(ren) to participate in any protected information survey, analysis, or evaluation, if the survey is funded in whole or in part by a program of the U.S. Department of Education.

Parents/eligible students also shall be notified of and given opportunity to opt their child(ren) out of participation in the following activities:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Parents/eligible students may inspect, upon written request and prior to administration or use, materials or instruments used for the collection, disclosure, or use of protected information.

PPRA requirements do not apply to evaluations administered to students in accordance with the Individuals with Disabilities Education Improvement Act (IDEIA).

**STUDENTS WITH DISABILITIES**

KSB/KSD's special education policy and procedures manual shall include information concerning records of students with disabilities.

**RECORDS RELEASE TO JUVENILE JUSTICE SYSTEM**

Once a complaint is filed with a court-designated worker alleging that a child has committed a status offense or public offense, schools shall provide all records specifically requested in writing, and pertaining to that child to any agency that is listed as part of Kentucky's juvenile justice system in KRS 17.125 if the purpose of the release is to provide the juvenile justice system with the ability to effectively serve, prior to adjudication, the needs of the student whose records are sought. The authorities to which the data are released shall certify that any educational records obtained pursuant to this section shall only be released to persons authorized by statute and shall not be released to any other person without the written consent of the parent of the child. The request, certification, and a record of the release shall be maintained in the student's file.

**JUVENILE COURT RECORDS**

Records or information received on youthful or violent offenders shall not be disclosed except as permitted by law. When such information is received, the Principal shall be notified. The Principal shall then release the information as permitted by law. Only the Principal and school administrative, transportation, and counseling personnel or teachers or other school employees with whom the student may come in contact, shall be privy to this information, which shall be kept in a locked file when not in use and opened only with permission of the administrator. Notification in writing of the nature of offenses committed by the student and any probation requirements shall not become a part of the child's student record.<sup>2</sup>

**Student Records****RECORDS OF MISSING CHILDREN**

Upon notification by the Commissioner of Education of a child's disappearance, KSB/KSD in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of or information regarding the child's record is requested, KSB/KSD shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported missing to the agency, institution, or individual making the request, KSB/KSD shall notify the Justice Cabinet.

**COURT ORDER/SUBPOENA**

Prior to complying with a lawfully issued court order or subpoena requiring disclosure of personally identifiable student information, school authorities shall make a documented effort to notify the parent or eligible student. In compliance with FERPA, notice to the parent is not required when a court order directs that disclosure be made without notification of the student or parent, or when the order is issued in the context of a dependency, neglect, or abuse proceeding in which the parent is a party. If KSB/KSD receives such orders, the matter(s) may be referred to counsel for advice.

**REFERENCES:**

<sup>1</sup>Section 152 of the Internal Revenue Code of 1986

<sup>2</sup>KRS 158.153; KRS 610.320; KRS 610.340; KRS 610.345

KRS 7.110; KRS 15A.067; KRS 17.125; KRS 158.032; KRS 159.160; KRS 159.250

KRS 160.990; KRS 161.200; KRS 161.210

KRS 365.732; KRS 365.734; KRS 600.070

702 KAR 1:140; 702 KAR 3:220

20 U.S.C. 1232g et seq., 34 C.F.R. 99.1 - 99.67

20 U.S.C. 1232h (Protection of Pupil Rights Amendment); 34 C.F.R. 98

OAG 80-33; OAG 85-130; OAG 85-140; OAG 86-2; OAG 93-35

Kentucky Family Educational Rights and Privacy Act (KRS 160.700; KRS 160.705

KRS 160.710; KRS 160.715; KRS 160.720; KRS 160.725; KRS 160.730)

Individuals with Disabilities Education Improvement Act of 2004

Kentucky Education Technology System (KETS)

P. L. 107-110, Sections 1061 and 9528 (No Child Left Behind Act of 2001)

**RELATED POLICIES:**

09.111; 09.12311; 09.43

Adopted/Amended:

Order #:



## **Health Requirements and Services**

### **HEALTH AND SAFETY**

The Principal and Health Nurse Coordinator shall develop procedures to ensure KSB/KSD compliance with all health and safety governance requirements.

The protocols and guidelines for health procedures performed by health professionals and school personnel shall be accessible to school personnel.<sup>1</sup> Policies and related procedures for these policies in the 09.2 section of this Manual, as referenced in the Health Services Reference Guide, are incorporated herein.

### **REQUIRED**

All pupils shall undergo preventative health care examinations as required by Kentucky Administrative Regulation.<sup>2</sup>

KSB/KSD shall adopt a program for continuous health supervision for all pupils, including screening tests related to growth and development, vision, and hearing, after school programs, wellness, healthy lifestyles, appropriate behavior and inappropriate sexual behavior.

### **REFERRAL**

Referral and appropriate follow-up of an abnormality noted by screening or teacher observation shall be recorded on school health records.

### **EMERGENCY CARE**

Schools shall have emergency care procedures, a copy of which shall be on file.

### **HEALTH RECORD**

Each school shall initiate a cumulative health record for each pupil entering school. Such record shall be maintained throughout the pupil's attendance on forms prescribed by the Kentucky Administrative Regulation or maintained electronically in the student information system.

### **REFERENCES:**

<sup>1</sup>KRS 156.501

<sup>2</sup>702 KAR 1:160

KRS 158.297; KRS 159.150

Health Services Reference Guide

### **RELATED POLICIES:**

08.1213; 08.131; 08.222; 09.2 (entire section); 09.211; 09.224

Adopted/Amended:

Order #:

**Health Care Examination**

All pupils shall undergo preventative health care, dental, and vision examinations as required by Kentucky Administrative Regulation, which shall be reported on the state forms required by state regulation.<sup>1</sup>

**IMMUNIZATIONS**

The immunization certificate form required by 702 KAR 1:160 shall be on file within two (2) weeks of a student's enrollment in school.<sup>1, 2 & 3</sup>

Forms relating to exemptions from immunization requirements shall be available at each school.

Immunization certificates shall be kept current.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 156.160; 702 KAR 1:160

<sup>2</sup>KRS 214.036; KRS 214.034

<sup>3</sup>KRS 158.035

902 KAR 2:060; 902 KAR 2:090

OAG 82-131

Health Services Reference Guide, Kentucky Department of Education

**RELATED POLICIES:**

09.121

Adopted/Amended:

Order #:

**Contagious Diseases and Parasites****NOTIFICATION**

A parent, legal guardian, or other person or agency responsible for a student shall notify the student's Health Nurse/Principal if the student has any medical condition which is defined by the Cabinet for Health and Family Services in administrative regulation as threatening the safety of the student or others in the school. The notification shall be given as soon as the medical condition becomes known and upon each subsequent enrollment by the student in a school.<sup>1</sup>

The Health Nurse/Principal or designee shall notify the student's teachers in writing of the nature of the medical condition.

**INFECTION CONTROL**

If any student is known or suspected to have or be infected with a communicable disease or condition for which a reasonable probability for transmission exists in a school setting, the Principal may order the student excluded from school. The time period the student is excluded from school shall be in accordance with generally accepted medical standards which the Principal shall obtain from consultation with the student's physician, the local health officer<sup>1</sup>, or the Kentucky Department for Public Health.

**EPIDEMICS**

In the event of a dangerous epidemic as determined by the Kentucky Department for Public Health, KSB/KSD may close the schools.<sup>1</sup>

**SCHOOL TO REPORT**

Local school authorities shall report immediately all known or suspected cases of communicable disease to the local health department. Diseases to be reported shall not include those considered confidential, such as AIDS/HIV, as set forth in Kentucky Administrative Regulation.<sup>2</sup>

**MEDICAL CONFIDENTIALITY**

Unless otherwise permitted by law, signed parental consent designating District personnel to be informed of a student's medical condition shall be on file prior to informing identified District personnel.

The Principal/Supervisor shall identify which employees are to have access to student medical information. This determination shall be made on a need-to-know basis.

**CLEANUP PROCEDURES**

The Principal/State Supervisor shall develop procedures to promote adequate and proper cleanup details and measures to aid in the prevention of infection and communicability of contagious diseases.

**REFERENCES:**

<sup>1</sup>KRS 158.160

<sup>2</sup>702 KAR 1:160; 902 KAR 002:020; KRS 214.181; KRS 214.625

Kentucky Department for Public Health; Centers for Disease Control and Prevention  
KRS 214.185

Adopted/Amended:  
Order #:

**Student Health and Safety****PRIORITY**

Student health, welfare and safety shall receive priority consideration by KSB/KSD.

Rules and regulations on health and safety promulgated by the Kentucky Board of Education under Kentucky statute and by local and state boards of health relating to student safety and sanitary conditions shall be implemented at KSB/KSD.

**HEALTH SERVICES TO BE PROVIDED**

In keeping with applicable legal requirements, only licensed medical professionals or school employees who have been appropriately trained and authorized to do so shall provide health services to students.

Employees to whom health service responsibilities have been delegated must be approved in writing by the delegating physician or nurse. The approval form shall state the employee consents to perform the health service when the employee does not have the administration of health services in his/her contract or job description as a job responsibility, possesses sufficient training and skills, and has demonstrated competency to safely and effectively perform the health service. The approval form shall be maintained as required by law. Delegation of health service responsibilities shall be valid only for the current school year.<sup>1</sup>

If the delegation involves administration of medication, KSB/KSD will maintain proof that the employee has completed the required training provided by the Kentucky Department of Education (KDE).

Employees to whom health service responsibilities have been delegated shall notify their immediate supervisor by April 15 of each year if they are not willing to perform the service(s) during the next school year.

**SAFETY PROCEDURES**

All pupils shall receive annual instruction in school bus safety.

The Health Nurse/Supervisor shall develop procedures designed to promote the safety of all students. Said procedures shall specify specific responsibilities for line positions having responsibility for student supervision.

**SUICIDE PREVENTION**

All middle and high school teachers, principals, and guidance counselors shall annually complete a minimum of two (2) hours of self-study review of suicide prevention materials.<sup>3</sup>

By September 1 of each school year, administrators shall provide suicide prevention awareness information to students in middle school grades and above, as provided by the Cabinet for Health and Family Services or a commercially developed suicide prevention training program.<sup>2</sup>

**Student Health and Safety**

**REFERENCES:**

<sup>1</sup>KRS 156.501; KRS 156.502; 702 KAR 1:160

<sup>2</sup>KRS 156.095

<sup>3</sup>KRS 158.070

KRS 156.160

KRS 158.836; KRS 158.838

702 KAR 5:030

**RELATED POLICY:**

09.2241

Adopted/Amended:  
Order #:

**Supervision of Students**

Students will be under the supervision of a qualified adult.

Each teacher and administrator shall hold pupils to a strict account for their conduct on school premises, on the way to and from school, and on school-sponsored trips and activities.<sup>1</sup>

A staff member must accompany students on all school-sponsored or school-endorsed trips. Persons designated to accompany students shall be at least twenty-one (21) years old.

A nonfaculty coach or a nonfaculty assistant may accompany students on athletic trips as provided in statute.<sup>1</sup>

**ACCESS TO SCHOOL PROPERTY DURING THE SCHOOL DAY**

Unless they are authorized visitors, only those students who are enrolled in KSB/KSD and on property for an official school purpose, such as receiving instruction or participating in a school sponsored extracurricular activity, shall be permitted on the property during the school day. If a student who is officially absent or on home/hospital instruction wishes to come onto property during the school day, the student shall first go to the Principal/designee, seek permission to be on the property, and check in. Permission may be granted for the student to be on school property if the purpose relates to educational needs of the student that cannot be accomplished outside of school hours, and the student remains on the property only for the time needed to accomplish that purpose. This requirement is necessary to address supervision and safety concerns of students who come on property during the school day.

**STUDENT REGISTRANTS**

The Principal is authorized to set supervision requirements and limitations, as appropriate, that apply to students enrolled in the school who are registrants as defined in KRS 17.500. If the Principal has set limitations, restrictions or requirements, they shall be put into writing and a copy provided to the student/guardian.

**REFERENCES:**

<sup>1</sup>KRS 161.180  
KRS 161.185  
KRS 17.545; 702 KAR 5:030

**RELATED POLICIES:**

09.36  
10.5

Adopted/Amended:  
Order #:

**Employee Reports of Criminal Activity**

To promote the safety and well-being of students, KSB/KSD requires employees to make reports required by state law in a timely manner. Supervisors and administrators shall inform employees of the following required reporting duties:

**KRS 158.154**

When the Principal has a reasonable belief that an act has occurred on school property or at a school-sponsored function involving assault resulting in serious physical injury, a sexual offense, kidnapping, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a controlled substance in violation of the law, or damage to the property, the Principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this section, "school property" means any school building, bus, school campus, grounds, recreational area, or athletic field, in the charge of the Principal.

**KRS 158.155**

An administrator, teacher, or other employee shall promptly make a report to the local police department, sheriff, or the Department of Kentucky State Police, by telephone or otherwise, if:

- 1 The person knows or has reasonable cause to believe that conduct has occurred which constitutes:
  - a. A misdemeanor or violation offense under the laws of this Commonwealth and relates to:
    - i Carrying, possession, or use of a deadly weapon; or
    - ii Use, possession, or sale of controlled substances; or
  - b. Any felony offense under the laws of this Commonwealth; and
- 2 The conduct occurred on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school-sponsored or sanctioned event.

**KRS 158.156**

Any employee of KSB/KSD who knows or has reasonable cause to believe that a school student has been the victim of a violation of any felony offense specified in KRS Chapter 508 committed by another student while on school premises, on school-sponsored transportation, or at a school-sponsored event shall immediately cause an oral or written report to be made to the Principal of the school attended by the victim. The Principal shall notify the parents, legal guardians, or other persons exercising custodial control or supervision of the student when the student is involved in an incident reportable under this section. The Principal shall file a written report with the local school board and the local law enforcement agency or the Department of Kentucky State Police or the county attorney within forty-eight (48) hours of the original report.

**Employee Reports of Criminal Activity****KRS 620.030**

Any person who knows or has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an oral or written report to be made to a local law enforcement agency or the Department of Kentucky State Police; the cabinet or its designated representative; the Commonwealth's Attorney or the County Attorney; by telephone or otherwise. Any supervisor who receives from an employee a report of suspected dependency, neglect, or abuse shall promptly make a report to the proper authorities for investigation.

**REFERENCES:**

KRS 158.154  
KRS 158.155  
KRS 158.156  
KRS 209.020  
KRS 525.070, KRS 525.080  
KRS 527.070, KRS 527.080  
KRS 620.030

**RELATED POLICIES:**

03.13251/03.23251  
05.48  
09.227  
09.422  
09.423  
09.425  
09.426  
09.438

Adopted/Amended:  
Order #:



### **Use of Physical Restraint and Seclusion**

Use of physical restraint or seclusion by school personnel is subject to 704 KAR 7:160. However, nothing in this policy prohibits the exercise of law enforcement duties by sworn law enforcement officers.

#### **DEFINITIONS**

- *Physical Restraint* means a personal restriction that immobilizes or reduces the ability of a student to move the student's torso, arms, legs, or head freely.
- *Seclusion* means the involuntary confinement of a student alone in a room or area from which the student is prevented from leaving, but does not mean classroom timeouts, supervised in-school detentions, or out-of-school suspensions.

#### **PHYSICAL RESTRAINT**

##### *All School Personnel*

Use of physical restraint by all school personnel is permitted when a student's behavior poses an imminent danger of physical harm to self or others in clearly unavoidable emergency circumstances. In such situations, staff who have not had core team training may physically restrain students, but shall summon core trained school personnel as soon as possible.

In all situations involving use of physical restraint (including restraint by core trained personnel):

- The student shall be monitored for physical and psychological well being for the duration of the restraint.
- Personnel shall use only the amount of force reasonably believed necessary to protect the student or others from imminent danger of physical harm.

##### *Core Trained Personnel*

School personnel who have undergone core team training may also use physical restraint after less restrictive behavioral interventions have been ineffective in stopping misbehavior as noted below:

1. In nonemergency circumstances when a student's behavior poses an imminent danger of physical harm to self or others;
2. As provided in KRS 503.050 (including when personnel believe physical restraint is necessary to protect themselves against the use or imminent use of unlawful physical force);
3. As provided in KRS 503.070 (including when personnel believe physical restraint is necessary to protect a third person against the use or imminent use of unlawful physical force);
4. To prevent property damage as provided in KRS Chapter 503 (including when personnel believe physical restraint is immediately necessary to prevent intentional or wanton property destruction, theft, or a felony involving the use of force); and
5. As provided in KRS 503.110 (including when personnel believe physical restraint is necessary to maintain reasonable discipline in a school, class, or other group, and the force used is not designed to cause or known to create a substantial risk of causing death, serious physical injury, disfigurement, extreme pain, or extreme mental distress).

**Use of Physical Restraint and Seclusion****SECLUSION**

Seclusion may be implemented only if: the student's behavior poses an imminent danger of physical harm to self or others; less restrictive interventions have been ineffective in stopping the imminent danger of physical harm; the student is monitored visually for the duration of the seclusion; and staff are appropriately trained to use seclusion.

**PARAMETERS**

The Board has established this policy and related procedures addressing use of physical restraint and seclusion that are designed to promote the safety of all students, school personnel, and visitors. As required by 704 KAR 7:160, school personnel and parents shall be made aware of how to access this policy and related procedures. Methods of notification may include, but are not limited to, publication in the District's local code of acceptable behavior and discipline and District employee handbooks.

**TRAINING**

Training of personnel on use of physical restraint and seclusion shall be provided as required by 704 KAR 7:160:

- All school personnel shall be trained annually to use an array of positive behavioral supports and interventions and as further required by 704 KAR 7:160.
- A core team of selected school personnel designated to respond to dangerous behavior and to implement physical restraint of students shall receive additional yearly training in the areas required by 704 KAR 7:160. (Exception: Core team members who are school resource officers or other sworn law enforcement officers are not required to undergo this training.)

**REQUIRED PROCEDURES**

The Principal/designee shall develop procedures to be followed during and after each use of physical restraint or seclusion to include the following:

1. Documentation of the event in the student information system;
2. Notice to parents; and
3. A process for the parent or emancipated youth to request a debriefing session.

**NOTIFICATION REQUIREMENTS**

The Principal of the school shall be notified as soon as possible when seclusion or physical restraint is used, but no later than the end of the school day on which it occurs.

Following each incident of physical restraint or seclusion of a student and if the student is not an emancipated youth, the parent of the student shall be notified of the incident either verbally or through electronic communication as soon as possible within twenty-four (24) hours of the incident. If the parent cannot be reached during that time frame, a written communication shall be mailed via U. S. mail.

If death, substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty results from use of physical restraint or seclusion, the Principal/designee shall notify the Kentucky Department of Education and local law enforcement within twenty-four (24) hours.

**Use of Physical Restraint and Seclusion****DEBRIEFING SESSION**

If the parent or emancipated student requests a debriefing session following use or parental notification of the use of physical restraint or seclusion, individuals who are to participate shall be those specified by state regulation.

A requested debriefing session shall occur as soon as practicable, but no later than five (5) school days following receipt of the request from the parent or emancipated youth, unless a meeting is delayed by written mutual agreement of the parent/emancipated student and the school.

The debriefing session shall address elements specified by state regulation, and all documentation used during the session shall become part of the student's education record.

**PARENT COMPLAINTS**

Parents may submit a complaint regarding the physical restraint or seclusion of their child using the KSB/KSD grievance policy and procedures. On receipt of a complaint, the District and school shall investigate the circumstances surrounding the physical restraint or seclusion, make written findings, and, where appropriate, take corrective action.

**STATEMENTS FROM PHYSICIAN**

The Principal/designee shall review and respond to any statement received from a student's licensed physician that the student is not to be subjected to physical restraint.

**DOCUMENTATION**

All incidents involving physical restraint or seclusion shall be documented by a written record of each use by the end of the next school day, and the documentation shall be maintained in the student's education record. In addition, each entry shall be informed by an interview with the student and include information required by 704 KAR 7:160.

Specified data related to incidents of physical restraint and seclusion shall be reported in the state student information system.

At the end of each school year, the Principal/designee shall review data on KSB/KSD use of physical restraint and seclusion to identify any recommendations to be made to the Board for policy and procedure revisions.

**REFERENCES:**

704 KAR 7:160

KRS Chapter 503: KRS 503.050, KRS 503.070, KRS 503.080, KRS 503.110

Individuals with Disabilities Education Improvement Act of 2004

Section 504 of Rehabilitation Act of 1973

**RELATED POLICY:**

09.4281

Adopted/Amended:  
Order #:

LEGAL: HB 98 AMENDED KRS 158.838 MAKING IT NECESSARY TO HAVE TRAINED PERSONNEL TO ADMINISTER GLUCAGON AND FDA APPROVED SEIZURE MEDICATIONS BUT DOES NOT APPLY EXCLUSIVELY TO EMERGENCY SITUATIONS. THIS LANGUAGE WILL NOW BE COVERED IN THE DISTRICT'S STUDENT MEDICATION POLICY.  
FINANCIAL IMPLICATIONS: NONE ANTICIPATED

STUDENTS

09.224

### **Emergency Medical Treatment**

#### **FIRST AID TO BE PROVIDED**

First aid shall be provided to all pupils in case of an accident or sudden illness until the services of a health care professional become available.

#### **FIRST-AID ROOM**

A first-aid area with appropriate equipment, supplies and provisions for the child to recline shall be designated. At least two (2) adult employees, at least one (1) of whom shall be present at the school at all times during school hours, shall have completed and been certified in a standard first aid course that includes CPR for infants and children.

KSB/KSD shall have employees trained in accordance with the law to administer or help administer emergency medications.

#### **INFORMATION NEEDED**

A number at which parents can be reached and the name of the family physician shall be maintained at KSB/KSD for all its pupils.<sup>1</sup> Parents will be notified in the event of an accident.

#### **EMERGENCY PROCEDURES**

The Principal shall develop a procedure for handling medical emergencies.

When an emergency arises and the student's parent/guardian or designee cannot be reached in a timely manner, the school will take action necessary to maintain the student's health, such as calling emergency medical personnel or taking the student to a health care facility. In such instances, school personnel shall notify health professionals of any medications that they are aware the student is taking.

#### **REFERENCES:**

<sup>1</sup>702 KAR 1:160  
KRS 156.160  
KRS 156.502  
KRS 158.838

#### **RELATED POLICIES:**

09.21  
09.22  
09.2241

Adopted/Amended:  
Order #:

**Student Medication**

School personnel authorized to give medications must be trained in accordance with KRS 158.838, KRS 156.502 and 702 KAR 1:160. Guidelines for diabetes medication administration under 702 KAR 1:160 no longer apply to training of non-licensed school personnel.

Internal medicine, including aspirin, shall not be provided by the school for the purpose of administering to pupils. Antiseptic and appropriate other emergency medications shall be maintained in the first-aid kit.

Pupils may take medicine which is brought from home once a completed authorization form from the parent/guardian is on file.<sup>1</sup>

**SELF-ADMINISTRATION**

A student may be permitted to carry medication that has been prescribed or ordered by a health care practitioner to stay on or with the pupil due to a pressing medical need.

Provided the parent/guardian and health care practitioner files a completed authorization form each year as required by law, a student under treatment for asthma, diabetes, or at risk of having anaphylaxis shall be permitted to self-administer medication.<sup>2</sup>

In accordance with KRS 158.836, students with a documented life-threatening allergy or designated staff shall be permitted to carry an epinephrine auto-injector in all school environments. The auto-injector shall be provided by the student's parent/guardian, and a written individual health care plan shall be in place for the student.<sup>3</sup>

Students with serious allergies or other serious health conditions may be permitted to self-administer medication as provided in an individualized education program, Section 504 Plan or Health Plan.

Students shall not share any prescription or over-the counter medication with another student. Each year, KSB/KSD shall notify students in writing of this prohibition and that violations shall result in appropriate disciplinary action, including but not limited to suspension or expulsion.

**REFERENCES:**

<sup>1</sup>OAG 73-768

<sup>2</sup>KRS 158.834; KRS 158.838

<sup>3</sup>KRS 158.836

KRS 158.832

702 KAR 1:160

Americans with Disabilities Act

Section 504 of the Rehabilitation Act of 1973

OAG 77-530

OAG 83-115

**RELATED POLICIES:**

09.22

09.224

Adopted/Amended:

Order #:

## **Child Abuse**

### **REPORT REQUIRED**

Any teacher, school administrator, or other school personnel who knows or has reasonable cause to believe that a child under age eighteen (18) is dependent, abused or neglected<sup>1</sup> shall immediately make a report to a local law enforcement agency or the Kentucky State Police, the Cabinet for Families and Children or its designated representative, the Commonwealth's Attorney or the County Attorney in accordance with KRS 620.030.<sup>2</sup>

After making the report, the employee shall notify the Principal of the suspected abuse, who then shall also promptly make a report to the proper authorities for investigation. If the Principal is suspected of child abuse, the employee shall notify the Superintendent/designee who shall also promptly report to the proper authorities for investigation.

Only agencies designated by law are authorized to conduct an investigation of a report of alleged child abuse. Therefore, KSB/KSD shall not first investigate a claim before an employee makes a report to the proper authorities. However, in certain situations, reports involving claims made under state and federal laws, such as Title IX, shall require KSB/KSD, after making the required report, to conduct an independent investigation of the allegations in order to determine appropriate personnel action.

### **WRITTEN REPORT**

The person reporting shall, if requested, in addition to the report required above, file with the local law enforcement agency or the Kentucky State Police or the Commonwealth's or County's Attorney or the Cabinet for Families and Children or its designated representative within forty-eight (48) hours of the original report a written report containing specific information regarding the child, the child's parents or guardians, and the person allegedly responsible for the abuse or neglect.

### **WRITTEN RECORDS**

Copies of reports kept by KSB/KSD that are submitted to authorities in compliance with the child abuse law are educational records and subject to inspection by the parents of the alleged victim of child abuse. Whether the records are considered "internal records", and not maintained with the students' "permanent records", is immaterial if such records are directly related to students and are maintained by the school.

### **REFERENCES:**

<sup>1</sup>KRS 600.020 (1)(15)

<sup>2</sup>KRS 620.030; KRS 620.040

KRS 17.160; KRS 17.165; KRS 17.545; KRS 17.580

KRS 158.156; KRS 199.990; KRS 209.020; KRS 620.050;; KRS 902.020

OAG 77-407; OAG 77-506; OAG 80-50; OAG 85-134

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights

Regulations Implementing Title IX

### **RELATED POLICIES:**

09.42811; 10.5

Adopted/Amended:  
Order #:

**Student Activities****TO BE ENCOURAGED**

Student activities of an educational nature shall be encouraged and maintained, based upon the needs and interests of pupils.

**CONTROL**

All school-sponsored student activities shall be under the direction of the Principal and faculty of the school, except that a nonfaculty coach or nonfaculty assistant may accompany students on athletic trips as provided in statute.<sup>1</sup>

The Principal may suspend a student's eligibility to participate in extracurricular and cocurricular activities, pending investigation of any allegation that the student has violated either KSB/KSD behavior standards or the school's criteria for participation.<sup>2</sup>

**PARTICIPATION**

All students shall have an equal opportunity to participate in nonacademic and extracurricular services and activities, including, but not limited to, extracurricular athletics, intramural athletics, and clubs.

**NOTE:** KSB/KSD may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

**REFERENCES:**

<sup>1</sup>KRS 161.185

<sup>2</sup>KRS 158.153

OAG 57-40812

KRS 161.180

702 KAR 7:125; 702 KAR 7:140

Section 504 of the Rehabilitation Act of 1973

**RELATED POLICIES:**

09.3211; 09.36; 09.438

09.3211; 09.36; 09.438

Adopted/Amended:  
Order #:

### **Athletics and Sport Activities**

All interscholastic and intramural athletic and sport activity competition shall be in compliance with the constitution, bylaws, and competition rules of the Kentucky High School Athletic Association (KHSAA) and Title IX requirements. As a condition to KHSAA high school membership, KSB/KSD shall annually submit a written certification of compliance with 20 USC Section 1681 (Title IX).

#### **PROGRAM EQUITY**

Policy relating to evaluation of the athletic program shall address program equity for both male and female athletics and sport activities. The Principal shall establish policy for program evaluation.

To assist the Principal, the Kentucky Department of Education shall develop and oversee implementation of procedures to promote compliance with Title IX requirements.

#### **AGE RESTRICTION/REQUIRED RECORD CHECKS**

All coaches, including volunteer and nonfaculty coaches and assistant coaches, shall be at least twenty-one (21) years of age and submit to a criminal record check as required by KRS 160.380 and KRS 161.185.<sup>1</sup>

#### **MIDDLE SCHOOL RULES AND LIMITATIONS**

Unless KSB/KSD opts to follow rules established by other conferences or associations, KSB/KSD shall establish student participation rules and limitations for school sports or sport activities to reflect the following:

1. A defined age limitation for participating students;
2. A policy regarding the participation of students below grade six (6);
3. A limitation on practice time prior to the season in any sport or sport activity;
4. A limitation on the number of school based scrimmages and regular season, school based contests in each sport or sport activity;
5. A limitation on the length of the competitive season in each sport or sport activity, including any post season activities.

**NOTE:** Limitations set relative to items three (3) through five (5) shall not exceed the limits in the following areas established for a sport or sport activity at the high school level:

- Limits on practice time;
- Number of contests; or
- Length of the playing season.



STUDENTS

09.31  
(CONTINUED)

**Athletics and Sport Activities**

**REFERENCES:**

<sup>1</sup>KRS 156.070; KRS 160.380; KRS 161.185  
KRS 160.345; KRS 160.445  
702 KAR 7:065  
Kentucky High School Athletic Association Handbook  
20 USC Section 1681 (Title IX)

**RELATED POLICIES:**

02.4241; 09.3

Adopted/Amended:  
Order #:

**Safety (Athletics)**

The Principal shall develop procedures to insure that the safety of the student shall be the first consideration in all athletic practices and events.

**SUPERVISION**

All athletic practices and events shall be under the direct supervision of a qualified employee of KSB/KSD.

**TRAINING**

All persons employed by the District as a coach for any interscholastic athletic activity or sport shall meet statutory training requirements. Training shall include how to recognize the symptoms of a concussion and how to seek proper medical treatment for a person suspected of having a concussion.

In addition, at least one (1) person who has completed the required course shall be present at every interscholastic athletic practice and competition.<sup>1</sup>

Prior to assuming their duties, nonfaculty coaches/coaching assistants shall successfully complete training provided by KSB/KSD, which shall include, but not limited to, the following:

1. Information on the physical and emotional development of students of the age with whom the nonfaculty coach and nonfaculty assistant will be working;
2. The school's discipline policies;
3. Procedures for dealing with discipline problems; and
4. Safety and first aid training.

Follow-up training shall be provided annually.<sup>3</sup>

**EMERGENCY ACTION PLAN**

In keeping with rules established by Kentucky Board of Education (KBE) or the Kentucky High School Athletic Association (KHSAA), KSB/KSD, if participating in interscholastic athletics shall develop and implement a venue-specific, written emergency action plan and submit annual written verification of the plan to the designated agency. The school plan shall be reviewed, distributed, posted, and rehearsed annually as provided in statute.<sup>1</sup>

**CONCUSSIONS**

When an interscholastic coach, school athletic personnel, or contest official suspect that a student athlete has sustained a concussion during an athletic practice or competition, the student shall be removed from play and evaluated by a licensed health care provider, as specified in statute, who shall determine if a concussion has occurred. The student may return to play if it is determined that no concussion has occurred.

A student athlete deemed to be concussed shall not be permitted to participate in any athletic practice or competition occurring on the day of the injury or, unless a physician provides written clearance, participate in any practice or athletic competition held on a subsequent day.

**Safety (Athletics)****MEDICAL EXAMINATION**

Each student seeking eligibility to participate in any school athletic activity or sport must pass an annual medical examination performed and signed by a medical practitioner as required by law.<sup>2</sup>

The required physical examination and parental authorization shall include acknowledgement of receipt of information on the nature and risk of concussion and head injury, including the continuance of playing after concussion or head injury.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 160.445

<sup>2</sup>KRS 156.070

<sup>3</sup>KRS 161.185

Adopted/Amended:  
Order #:

STUDENTS

09.312

**Insurance (Athletics)**

All students participating in interscholastic athletics must present evidence of accident insurance. Insurance must meet minimum criteria established by the Principal

**RELATED POLICY:**

09.23

Adopted/Amended:  
Order #:

**Eligibility (Athletics)**

Determination of athletic eligibility shall be made in compliance with applicable administrative regulations and Kentucky High School Athletic Association requirements.

**REFERENCES:**

702 KAR 7:065  
Kentucky High School Athletic Association (KHSAA)  
KRS 156.070

**RELATED POLICIES:**

09.126 (re requirements/exceptions for students from military families)  
09.423

Adopted/Amended:  
Order #:

**Student Organizations****SECRET ORGANIZATIONS**

KSB/KSD does not support or sponsor the establishment or operation of any secret or socially exclusive societies, fraternities, or sororities under KSB/KSD auspices.

School groups' affiliation with state and national organizations must be approved by KSB/KSD.

All school-sponsored student organizations shall be under the direction of a faculty advisor.

**REFERENCE:**

KRS 161.185

**RELATED POLICIES:**

09.321

09.3211

09.36

Adopted/Amended:

Order #:

**Clubs****MEMBERSHIP**

Groups such as honor clubs, athletic clubs or other groups where membership is determined by scholarship, special curricular-related interests, or other such qualifications, may restrict membership to pupils who qualify according to bylaws of the organization approved by the Principal.<sup>1</sup>

**REFERENCE:**

<sup>1</sup>KRS 160.290

**RELATED POLICIES:**

09.3; 09.3211

Adopted/Amended:  
Order #:

**Use of School Facilities by Noncurriculum-Related Student Groups****APPROVAL REQUIRED**

Noncurriculum-related secondary student groups may be provided meeting space on application to and approval by the Principal. Space shall be provided only during noninstructional time either before the beginning or after the conclusion of the school day.

**PROVISIONS**

All meetings of noncurriculum-related student groups shall be voluntary. No meeting shall be sponsored by KSB/KSD or any of its employees. All such meetings shall be student initiated, directed, conducted, and controlled. Nonschool personnel may not regularly attend such meetings nor attempt to direct, control, or conduct the same. Agents or employees of KSB/KSD may attend religion-related meetings only in a nonparticipatory capacity.

**PERMISSION MAY BE DENIED**

Permission to use school facilities may be denied where reasonable cause exists to believe the meeting will materially and substantially interfere with the orderly conduct of the educational activities of the school or pose a danger to the health, safety, or welfare of the students in attendance or to school property.

**REFERENCES:**

20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)  
KRS 158.181

**RELATED POLICIES:**

09.3  
09.32  
09.321

Adopted/Amended:  
Order #:



STUDENTS

09.322

**Student Government**

The development of a student government organization shall be at the discretion of KSB/KSD.

Adopted/Amended:

Order #:

**Student Publications****SPONSOR PROVIDED**

A designated faculty sponsor shall be provided for all student publications.

**PRIOR SUBMISSION**

Materials to be published shall be submitted to the Principal three (3) days before publication and/or distribution.

The Principal shall have the right to edit all materials for items which are substantially disruptive or which may cause harm to others.

**APPEAL**

A student or author may appeal in writing to the State Supervisor the Principal's decision.

**REFERENCES:**

KRS 160.290

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

**RELATED POLICY:**

09.426

Adopted/Amended:  
Order #:

**Social Events****SOCIAL EVENTS MAY BE APPROVED**

Student social events may be approved by the Principal under the following conditions:

1. The door shall be controlled and admission limited to eligible students, guests, chaperones, and school personnel.
2. No one under the influence of alcohol or drugs shall be in attendance.
3. Adequate administrator and/or faculty supervision shall be provided.
4. A policeman shall be present for any event where it is anticipated that the nature of the crowd may pose conduct or safety problems.
5. In case of any disturbance which would jeopardize the safety of students present or threaten to deface or destroy school property, the Principal or the Principal's designee shall immediately close the event and send pupils from the campus.
6. The Principal may impose additional regulations as needed.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 161.180  
KRS 160.290

**RELATED POLICIES:**

03.6  
05.45

Adopted/Amended:  
Order #:

**School-Related Student Trips****PRINCIPAL TO APPROVE**

The school Principal shall have the authority to approve school-related trips which fall into the following categories:

1. All regularly scheduled in-state athletic events;
2. All in-state athletic trips which are part of a tournament or play-off in which the school is a participant; and
3. All in-state school-related trips made within a 150 mile radius of the school.

**PRIOR APPROVAL**

Prior approval of the Principal is required for each of the above trips.

**KDE REGULARLY INFORMED**

The Kentucky Department of Education shall be regularly informed of any trip falling within these guidelines.

**DRIVERS/VEHICLES**

All State-owned vehicles shall be driven by an adult duly qualified and licensed to operate the vehicle. Drivers of school vehicles and operation of State-owned passenger vehicles transporting students shall be in compliance with requirements specified in applicable statutes and administrative regulations.<sup>1</sup>

**SUPERVISION**

A certified or classified staff member must accompany students on all school-sponsored or school-endorsed trips. For athletic trips, a nonfaculty coach or a nonfaculty assistant may accompany students as provided in statute. Persons designated to accompany students shall be at least twenty-one (21) years old.<sup>2</sup>

**INSURANCE**

Only State insured vehicles or appropriately certificated common carriers shall be used for transporting students.<sup>3</sup>

**PRIOR APPROVAL FOR OTHER TRIPS**

Any school-related trips not falling within the guidelines above shall require prior Kentucky Department of Education approval.

Use of certificated common carrier service shall be authorized by the Principal on a case-by-case basis, and the reasons to justify such use shall be documented.

**School-Related Student Trips****MEDICATION**

Administration of medication to students during field trips shall comply with applicable law, regulation and medication administration training developed by the Kentucky Department of Education.

When students will be travelling outside the state, the Principal/designee shall do the following:

1. Determine applicable legal requirements concerning delegation of student medication responsibilities in states through which students will be travelling; and
2. Assign staff to accompany students on the field trip to address student medication needs.

**PARENTS' APPROVAL**

Parents are to be informed of the nature of the trip, the approximate departure and return times, means of transportation, and any other relevant information. Parents must give written approval for students to participate in school-sponsored trips.

**REFERENCES:**

<sup>1</sup>KRS 156.153

<sup>2</sup>KRS 161.185

KRS 158.110, KRS 158.838, KRS 160.340, KRS 189.125, KRS 189.540

702 KAR 1:160, 702 KAR 3:220, 702 KAR 5:030, 702 KAR 5:060

702 KAR 5:080, 702 KAR 5:130

**RELATED POLICIES:**

03.1321; 03.2321; 09.15; 09.221; 09.2241

Adopted/Amended:  
Order #:

**Pregnant and Married Students**

Married and/or pregnant pupils shall be permitted the same rights and privileges as other pupils.<sup>1</sup>  
Pregnant students may not participate in activities which will endanger the student or fetus.

**REFERENCES:**

<sup>1</sup>34 CFR 106.40  
OAG 93-37  
OAG 97-26

Adopted/Amended:  
Order #:

**Student Conduct**

The Principal/designee shall be responsible for overall implementation and supervision of the KSB/KSD's Code of Acceptable Behavior and Discipline, and the Principal shall be responsible for administration and implementation of the Code within the school. The Principal shall apply the Code uniformly and fairly to each student without partiality or discrimination.

The Principal of the school, shall set school policy concerning the selection and implementation of appropriate discipline and classroom management techniques necessary to carry out the Code.

**REFERENCES:**

KRS 158.148  
KRS 160.290  
KRS 161.180

**RELATED POLICY:**

09.438

Adopted/Amended:  
Order #:

**Care of School and Personal Property****PUPILS RESPONSIBLE**

Pupils shall be held responsible for damage to school property.

**SCHOOL PROPERTY**

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or removes school property shall be subject to disciplinary action and liability for the cost of restoring the property.

In addition, when they have reasonable belief that a violation has taken place, the Principal shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves damage to school property. For the purposes of determining when to make this report, damage to school property shall refer to instances involving:

1. Intentional harm, and
2. Damage beyond minor loss or breakage, excluding normal wear and tear.

**PERSONAL PROPERTY OF SCHOOL PERSONNEL**

Any pupil, organization, or group of pupils who steals or willfully or wantonly destroys, defaces, or damages the personal property of school personnel on school property, off school property, or at school-sponsored activities shall be subject to suspension or expulsion from school.<sup>2</sup>

**STUDENTS' PROPERTY**

Any pupil, organization, or group of pupils participating in activities who destroys, defaces, damages or steals the personal property of students shall be subject to disciplinary action.

**PARENTS LIABLE**

Parents shall be liable for property damage caused by their minor children.<sup>1</sup>

**REFERENCES:**

<sup>1</sup>KRS 157.140 (Textbooks); KRS 405.025 (Willful Damage)

<sup>2</sup>KRS 158.150

KRS 158.154; KRS 160.290

704 KAR 3:455

**RELATED POLICY:**

09.438

Adopted/Amended:  
Order #:



### **Bullying/Hazing**

In order to effectively participate in the democratic process as adults, students must learn to respect the rights of others and to interact with them in a civil manner. Therefore, students are required to speak and behave in a civil manner toward students, staff and visitors to the schools.

#### **ACTIONS NOT TOLERATED**

The use of lewd, profane or vulgar language is prohibited. In addition, students shall not engage in behaviors such as hazing, bullying, menacing, taunting, intimidating, verbal or physical abuse of others, or other threatening behavior.<sup>1</sup> This policy extends to any/all student language or behavior including, but not limited to, the use of electronic or online methods. Such behavior is disruptive of the educational process and interferes with the ability of other students to take advantage of the educational opportunities offered.

These provisions shall not be interpreted to prohibit civil exchange of opinions or debate protected under the state or federal constitutions where the opinion expressed does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

Students who violate this policy shall be subject to appropriate disciplinary action.

#### **BULLYING DEFINED**

Bullying refers to any intentional act by a student or groups of students directed against another student to ridicule, humiliate, or intimidate the other student while on school grounds, or at a school sponsored activity, which acts are repeated against the same student over time.

#### **REPORTS**

As provided in the KSB/KSD Code of Acceptable Behavior and Discipline, students that believe they are victims of bullying/hazing shall be provided with a process to enable them to report such incidents to KSB/KSD personnel for appropriate action.

Employees are expected to take reasonable and prudent action in situations involving student welfare and safety, including following KSB/KSD policy requirements for intervening and reporting to the Principal or to their immediate supervisor those situations that threaten, harass, or endanger the safety of students, other staff members, or visitors to the school. Such instances shall include, but are not limited to, bullying or hazing of students and harassment/discrimination of staff, students or visitors by any party.

Students who believe they have been a victim of bullying or who have observed other students being bullied shall, as soon as reasonably practicable, report it.

The KSB/KSD Code shall specify to whom reports of alleged instances of bullying or hazing shall be made. In serious instances of peer-to-peer bullying/hazing/harassment, employees must report to the alleged victim's Principal, as directed by KSB/KSD policy 09.42811. The Principal/designee shall investigate and address alleged incidents of such misbehavior.

In certain cases, employees must do the following:

1. Report bullying and hazing to appropriate law enforcement authorities as required by policy 09.2211; and
2. Investigate and complete documentation as required by policy 09.42811 covering federally protected areas.

**Bullying/Hazing****OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.426 and/or 09.42811. Harassment/discrimination allegations shall be governed by Policy 09.42811.

**REFERENCES:**

<sup>1</sup>KRS 158.150; KRS 158.148; KRS 158.156

KRS 160.290

Bethel School District No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)

Tinker v. Des Moines Independent School District, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

**RELATED POLICIES:**

03.162; 03.262; 09.13; 09.421; 09.425; 09.426; 09.4281; 09.42811; 09.438  
09.2211 (re reports required by law)

Adopted/Amended:  
Order #:

**Use of Alcohol, Drugs and Other Prohibited Substances****DRUGS, ALCOHOL AND OTHER PROHIBITED SUBSTANCES**

No pupil shall purchase, possess, attempt to possess, use, be under the influence of, sell, or transfer any of the following on or about school property, at any location of a school-sponsored activity, or en route to or from school or a school-sponsored activity:

1. Alcoholic beverages;
2. Controlled substances, prohibited drugs and substances and drug paraphernalia; and
3. Substances that "look like" a controlled substance. In instances involving look-alike substances, there must be evidence of the student's intent to pass off the item as a controlled substance.

In addition, students shall not possess prescription drugs for the purpose of sale or distribution.

**DEFINITIONS**

Controlled substance means any substance or immediate precursor listed in Chapter 218A of the Kentucky Revised Statutes or any other substance added by regulation under KRS 218A.010.

Prohibited drugs include, but are not limited to, any substance that an individual may not sell, possess, use, distribute or purchase under Federal or Kentucky law.

Prohibited substances include:

1. All prescription drugs obtained without authorization, and
2. All prohibited substances however taken or used, including but not limited to, inhaling, ingesting, and/or injecting. These include, but are not limited to, prescribed and over-the-counter drugs, prohibited volatile substances as defined in KRS 217.900 or synthetic compounds/substances that are used or intended for use for an abusive and/or intoxicating purpose.

**AUTHORIZED MEDICATION**

Use of a drug authorized by and administered in accordance with a prescription from a physician or dentist shall not be considered in violation of this policy.

**PENALTY**

Violation of this policy shall constitute reason for disciplinary action including suspension or expulsion from school and suspension or dismissal from athletic teams and/or other school-sponsored activities.

**REPORTING**

Employees of KSB/KSD shall promptly make a report to the local police department, sheriff, or Kentucky State Police, by telephone or otherwise, if they know or have reasonable cause to believe that conduct has occurred which constitutes the use, possession, or sale of controlled substances on the school premises or within one thousand (1,000) feet of school premises, on a school bus, or at a school sponsored or sanctioned event. In addition, when they have reasonable belief that a violation has taken place, the Principal shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves student possession of a controlled substance on school property in violation of the law.

**Use of Alcohol, Drugs and Other Prohibited Substances****PREVENTION PROGRAM**

The Principal shall establish a comprehensive and on-going drug-free/alcohol-free prevention program for all students which shall include notice to students and parents of the following:

1. The dangers of drug/alcohol/substance abuse in the schools;
2. KSB/KSD's policies and related procedures on drug-free/alcohol-free schools;
3. The requirement for mandatory compliance with KSB/KSD's established standards of conduct, including those that prohibit use of alcohol, drugs and other controlled and prohibited substances;
4. Information about available drug/alcohol counseling programs and available rehabilitation/student assistance programs; and
5. Penalties that may be imposed upon students for violations of this policy.

**REFERENCES:**

KRS 158.150; KRS 158.154; KRS 158.155

KRS 160.290; KRS 161.180

KRS 217.900; KRS 218A.020; KRS 218A.1430

OAG 82-633; OAG 93-32

Clark County Board of Education vs. Jones, KY. App., 625 S. W. 2d 586 (1981).

Board of Ed. of Tecumseh Public School District, Independent School Dist. No. 92 of Pottawatomie Cty. v. Earls, \_\_\_ U.S. \_\_\_, 242 F.3d 1264 (2002).

Improving America's Schools Act of 1994 (IASA), Title IV: Safe and Drug-Free Schools and Communities

**RELATED POLICY:**

09.2241

Adopted/Amended:  
Order #:

**Tobacco**

Students shall not be permitted to use or possess any tobacco product, alternative nicotine product, or vapor product as defined in KRS 438.305 on property owned or operated by KSB/KSD, inside State-owned vehicles, on the way to and from school, and during school-sponsored trips and activities. Students who violate these prohibitions while under the supervision of the school shall be subject to penalties set forth in the local code of acceptable behavior and discipline.

**REFERENCES:**

P. L. 107-110 (No Child Left Behind Act of 2001)  
KRS 160.290  
KRS 160.340  
KRS 161.180  
KRS 438.050  
KRS 438.305  
KRS 438.350  
OAG 81-295  
OAG 91-137

Adopted/Amended:  
Order #:

### **Assault and Threats of Violence**

For purposes of this policy, a “threat” shall refer to a communication made by any means, including, but not limited to, electronic and/or online methods.

#### **PUPILS**

Any pupil who threatens, assaults, batters or abuses another pupil shall be subject to appropriate disciplinary action, including suspension or expulsion.<sup>1</sup>

#### **SCHOOL PERSONNEL**

Any pupil who threatens, assaults, batters or physically or verbally abuses a teacher or other school personnel shall be subject to appropriate disciplinary action<sup>1</sup> up to and including expulsion from school and/or legal action.

#### **REMOVAL OF STUDENTS**

School administrators, teachers, or other school personnel may immediately remove or cause to be removed threatening or violent students from a classroom setting or from the LEA/KSB/KSD’s transportation system pending any further disciplinary action that may occur. Threatening or violent behavior shall include, but not be limited to:

1. Verbal or written statements or gestures by students indicating intent to harm themselves, others or property.
2. Physical attack by students so as to intentionally inflict harm to themselves, others or property.

Removal of students from a bus shall be made in compliance with 702 KAR 5:080.

KSB/KSD shall designate the site(s) to which employees may remove students from a classroom setting and the employee(s) who will supervise the student at the site.

When teachers or other personnel remove a student, they shall complete and submit a form to document the removal and the causes as soon as practicable. The Principal/designee shall review the removal as soon as possible to determine if further disciplinary action is warranted or if the student is to be returned to the classroom.

#### **REPORT TO LAW ENFORCEMENT AGENCY**

When they have reasonable belief that a violation has taken place, the Principal shall immediately report to law enforcement officials when an act has occurred on school property or at a school-sponsored function that involves assault resulting in serious physical injury, a sexual offense, kidnapping or each instance of assault involving the use of a weapon.

#### **NOTIFICATIONS**

As soon as the Principal/designee confirms that a serious threat has been confirmed, designated personnel shall attempt to notify staff members and/or students who have been threatened and parents of students who are the subject of a threat. Such notification shall observe and comply with confidentiality requirements of applicable law including, but not limited to, state and federal Family Educational Rights and Privacy Act (FERPA) laws.

**Assault and Threats of Violence****NOTIFICATIONS (CONTINUED)**

Any KSB/KSD employee assigned to work directly with, or who comes in contact with, a student with a documented history of physical abuse of a school employee or of carrying a concealed weapon on school property or at a school function, shall be notified in writing of the student's history by the Principal or designee, guidance counselor or other official who has knowledge of the student's behavior prior to the assignment or contact.

**REFERENCES:**

<sup>1</sup>KRS 158.150  
KRS 158.154; KRS 160.290  
KRS 161.155; KRS 161.190; KRS 161.195  
KRS 508.025; KRS 508.075; KRS 508.078; 702 KAR 5:080

**RELATED POLICIES:**

03.123, 03.223  
06.34  
09.14; 09.2211; 09.422

Adopted/Amended:  
Order #:

**Disrupting the Educational Process**

Behavior that materially or substantially disrupts the educational process, whether on school property or at school-sponsored events and activities, shall not be tolerated and shall subject the offending pupil to appropriate disciplinary action. For purposes of this section, behavior which disrupts the educational process shall include, but not be limited to:

1. Conduct which threatens the health, safety, or welfare of others;
2. Conduct which may damage public or private property, including the property of students or staff;
3. Illegal activity;
4. Conduct that materially or substantially interferes with another student's access to educational opportunities or programs, including the ability to attend, participate in and benefit from instructional and extracurricular activities; or
5. Conduct that materially or substantially disrupts the delivery of instructional services or interferes with the orderly administration of the school and school-related activities or District operations.

**OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.42811, which address harassment/discrimination allegations.

**REFERENCES:**

KRS 158.150; KRS 158.165; KRS 160.290

**RELATED POLICIES:**

09.13; 09.422; 09.42811; 09.438

Adopted/Amended:  
Order #:



**Telecommunication Devices****POSSESSION AND USE**

While on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law<sup>1</sup> and other related electronic devices, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, use that:
  - a. Poses a threat to academic integrity, such as cheating,
  - b. Violates confidentiality or privacy rights of another individual,
  - c. Is profane, indecent, or obscene,
  - d. Constitutes or promotes illegal activity or activity in violation of school rules, or
  - e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.

These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

2. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day.
3. When students violate prohibitions of this policy, they shall be subject to disciplinary action, including losing the privilege of bringing the device onto school property and being reported to their parent/guardian. A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
4. Students are responsible for keeping up with devices they bring to school. KSB/KSD shall not be responsible for loss, theft, or destruction of devices brought onto school property.
5. Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.
6. Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the KSB/KSD's Acceptable Use policy or procedures or its Code of Acceptable Behavior and Discipline.

**NOTICE OF POLICY**

Notice of this policy and penalties for violating it shall be published annually in the KSB/KSD's Code of Acceptable Behavior and Discipline.

**REFERENCE:**

<sup>1</sup>KRS 158.165

**RELATED POLICIES:**

08.2323; 09.426; 09.436; 09.438

Adopted/Amended:  
Order #:

## **Grievances**

### **GENERAL**

Any student who wishes to express an educational concern or grievance shall observe the following order of appeal:

1. Teacher;
2. Principal;
3. State Supervisor
4. Kentucky Department of Education (KDE);
5. Kentucky Board of Education (KBE).

The order of appeal shall not be construed to mean that students are not free to confer with the Principal whenever they so wish. However, if the grievance concerns discipline of an individual student, KDE may, on a case-by-case basis, determine if it will hear the grievance based on whether the facts presented in the written grievance fall within its discretion or authority. If there is a question as to whether the grievance is within KDE's discretion or authority, KDE will consult with legal counsel.

### **PROCEDURES**

Grievance procedures shall address, but not be limited to, the conditions for filing a grievance, time limitations for the filing and the appeal of a grievance, and a process for the orderly review and appeal of each individual grievance.

### **EXCEPTIONS**

Harassment/Discrimination allegations shall be governed by Policy 09.42811.

Federal law requires KSB/KSD to implement separate and specific processes for responding to complaints/grievances about Title I programs and to those alleging discrimination in the delivery of benefits or services in the District's school nutrition program.

### **RELATED POLICIES:**

07.1  
08.13451  
09.42811

Adopted/Amended:  
Order #:

## **Harassment/Discrimination**

### **DEFINITION**

Harassment/Discrimination is unlawful behavior based on race, color, national origin, age, religion, sex or disability that is sufficiently severe, pervasive, or objectively offensive that it adversely affects a student's education or creates a hostile or abusive educational environment.

The provisions of this policy shall not be interpreted as applying to speech otherwise protected under the state or federal constitutions where the speech does not otherwise materially or substantially disrupt the educational process, as defined by policy 09.426, or where it does not violate provisions of policy 09.422.

### **PROHIBITION**

Harassment/Discrimination is prohibited at all times on school property and off school grounds during school-sponsored activities. This prohibition also applies to visitors to the school who may come into contact with employees and students. (Acts of harassment/discrimination based on sex may be committed by persons of the same or the opposite sex.)

KSB/KSD staff shall provide for a prompt and equitable resolution of complaints concerning harassment/discrimination.

### **DISCIPLINARY ACTION**

Students who engage in harassment/discrimination of an employee or another student on the basis of any of the areas mentioned above shall be subject to disciplinary action, including but not limited to suspension and expulsion.

### **GUIDELINES**

Students who believe they or any other student, employee, or visitor is being or has been subjected to harassment/discrimination shall, as soon as reasonably practicable, report it. In each school building, the Principal is the person responsible for receiving reports of harassment/discrimination at the building level. Otherwise, reports of harassment/discrimination may be made directly to the Kentucky Department of Education (KDE). Additionally, if sexual discrimination or harassment is being alleged, reports may be made directly to the KSB/KSD Title IX Coordinator. Complaints of harassment/discrimination, whether verbal or written, shall lead to a documented investigation and a written report. Without a report being made to the Principal, KDE or Title IX/Equity Coordinator, KSB/KSD shall not be deemed to have received a complaint of harassment/ discrimination.

Employees who believe prohibited behavior is occurring or has occurred shall notify the victim's Principal, who shall immediately forward the information to the KDE.

The KDE shall provide for the following:

1. Investigation of allegations of harassment/discrimination to commence as soon as circumstances allow, but not later than three (3) school days of receipt of the original complaint, regardless of the manner in which the complaint is communicated to a KSB/KSD administrator. A written report of all findings of the investigation shall be completed within thirty (30) calendar days, unless additional time is necessary due to the matter being investigated by a law enforcement or governmental agency.

The KDE may take interim measures to protect complainants during the investigation.

**Harassment/Discrimination****GUIDELINES (CONTINUED)**

2. A process to identify and implement, within five (5) school days of the submission of the written investigative report, methods to correct and prevent reoccurrence of the harassment/discrimination. If corrective action is not required, an explanation shall be included in the report.
3. A process to be developed and implemented to communicate requirements of this policy to all students, which may include, but not be limited to, the following:
  - written notice provided in publications such as handbooks, codes, and/or pamphlets; and/or
  - such other measures as determined by the Principal.

Method(s) used shall provide a summary of this policy, along with information concerning how individuals can access KSB/KSD's complete policy/procedures and obtain assistance in reporting and responding to alleged incidents. Students, parents or guardians, as appropriate, will be directed to sign an acknowledgement form verifying receipt of information concerning this policy as part of the KSB/KSD-approved code of acceptable behavior and discipline.

4. Age appropriate training during the first month of school to include an explanation of prohibited behavior and the necessity for prompt reporting of alleged harassment/discrimination; and
5. Development of alternate methods of filing complaints for individuals with disabilities and others who may need accommodation.

When sexual harassment is alleged, KSB/KSD's Title IX Coordinator, as designated in the student handbook/code, shall be notified.

**NOTIFICATIONS**

Within twenty-four (24) hours of receiving a serious allegation of harassment/discrimination, KSB/KSD personnel shall attempt to notify parents of both student victims and students who have been accused of harassment/discrimination.

In circumstances also involving suspected child abuse, additional notification shall be required by law. (See Policy 09.227.)

In applicable cases, employees must report harassment/discrimination to appropriate law enforcement authorities in accordance with law.<sup>1</sup>

**PROHIBITED CONDUCT**

Depending on the circumstances and facts of the situation, and within the definition of harassment/discrimination contained in this policy, examples of conduct and/or actions that could be considered a violation of this policy include, but are not limited to:

1. Any nicknames, slurs, stories, jokes, written materials or pictures that are lewd, vulgar, or profane and relate to any of the protected categories listed in the definition of harassment/discrimination contained in this policy;

**Harassment/Discrimination****PROHIBITED CONDUCT (CONTINUED)**

2. Unwanted touching, sexual advances, requests for sexual favors, and spreading sexual rumors;
3. Instances involving sexual violence;
4. Causing a student to believe that he or she must submit to unwelcome sexual conduct in order to participate in a school program or activity or that an educational decision will be based on whether or not the student submits to unwelcome sexual conduct;
5. Implied or overt threats of physical violence or acts of aggression or assault based on any of the protected categories;
6. Seeking to involve students with disabilities in antisocial, dangerous or criminal activity where the students, because of disability, are unable to comprehend fully or consent to the activity; and
7. Destroying or damaging an individual's property based on any of the protected categories.

**CONFIDENTIALITY**

KSB/KSD employees involved in the investigation of complaints shall respect, as much as possible, the privacy and anonymity of both victims and persons accused of violations.

**APPEAL**

Upon the completion of the investigation and correction of the conditions leading to the harassment/discrimination, any party may appeal in writing any part of the findings and corrective actions to the KDE.

If a supervisor is an alleged party in the harassment/discrimination complaint, procedures shall also provide for addressing the complaint to a higher level of authority.

Failure by employees to report, notify, and/or initiate an investigation of alleged harassment/discrimination as required by this policy, or to take corrective action shall be cause for disciplinary action.

**RETALIATION PROHIBITED**

No one shall retaliate against an employee or student because s/he submits a grievance, assists or participates in an investigation, proceeding, or hearing regarding the charge of harassment/discrimination of an individual or because s/he has opposed language or conduct that violates this policy.

Upon the resolution of allegations, the KDE shall take steps to protect employees and students against retaliation.

**FALSE COMPLAINTS**

Deliberately false or malicious complaints of harassment/discrimination may result in disciplinary action taken against the complainant.

**Harassment/Discrimination****OTHER CLAIMS**

When a complaint is received that does not appear to be covered by this policy, administrators shall review other policies that may govern the allegations, including but not limited to, 09.422 and/or 09.426.

**REFERENCES:**

<sup>1</sup>KRS 158.156

42 USC 2000e, Civil Rights Act of 1964, Title VII

Racial Incidents and Harassment Against Students at Educational Institutions;  
Investigative Guidance (U.S. Department of Education)

U. S. Supreme Court - Franklin vs. Gwinnett County

29 C.F.R. 1604.11, Equal Employment Opportunity Commission (EEOC)  
Regulations Implementing Title VII

20 U.S.C. 1681, Education Amendments of 1972, Title IX

34 C.F.R. 106.1-106.71, U.S. Department of Education Office for Civil Rights  
Regulations Implementing Title IX

Gebser v. Lago Vista Independent School Dist., 118 S. Ct. 1989 (1998)

Davis v. Monroe County Bd. of Educ., 119 S. Ct. 1661 (1999)

**RELATED POLICIES:**

03.162; 03.262

09.13; 09.2211; 09.227

09.422; 09.426; 09.438

**Student Disciplinary Processes****SCHOOL-RELATED ACTIVITIES**

The authority of KSB/KSD in matters of student behavior is not limited to school buildings and grounds or to times when the pupil is on his/her way to or from school, but extends to any activity which is school-related or school-sponsored.

**TREATMENT OF PUPILS**

Student disciplinary measures should not be administered in a manner that is humiliating, degrading, or unduly severe or in a manner that would cause the pupil to lose status before his/her peer group. Teachers should guard against making remarks to other pupils concerning a student's shortcomings.

Unless an administrator acts under authority of KRS 158.150, no school, school administrator, teacher, or other school employee shall expel or punish a student based on juvenile court information received by the employee from any source. Administrators may act to protect staff and students when the student's conduct, as reflected by the information, indicates a substantial likelihood of an immediate and continuing threat of harm to students or staff. In cases where such actions are necessary, the following provisions shall apply:

1. Restrictions imposed on the student shall represent the least restrictive alternative available and appropriate to remedy the threat.
2. Supporting material shall be documented in and kept with the student's juvenile court record.
3. The student and/or parent/guardian may appeal actions taken to the KDE or to the Circuit Court with appropriate jurisdiction.<sup>1</sup>

**SERIOUS PROBLEMS**

Serious disciplinary problems shall be promptly reported to the Principal and to the parent(s) of the student.

**REFERENCES:**

<sup>1</sup>KRS 158.153  
KRS 158.150; KRS 160.290, KRS 160.340, KRS 160.345  
KRS 161.180; KRS 610.345  
P. L. 105-17

**RELATED POLICY:**

09.14

Adopted/Amended:  
Order #:

**Due Process****RIGHT TO DUE PROCESS**

Before being punished at the school level with suspension for violation of school regulations, a pupil shall have the right of the following due process procedures.<sup>1</sup>

1. The pupil shall be given oral or written notice of the charge(s) against him.
2. If the pupil denies the charge(s), he shall be given an explanation of the evidence against him.
3. The pupil shall be given an opportunity to present his own version of the facts concerning the charge(s).

Procedures mandated by federal and state law shall be followed.<sup>2</sup>

**REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>P. L. 105-17; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592 (1988)

**RELATED POLICIES:**

09.43

09.433

09.434

Adopted/Amended:

Order #:



**Corporal Punishment**

Employees shall not utilize corporal punishment as a penalty or punishment for student misbehavior. Corporal punishment shall refer to the deliberate infliction of physical pain on a student by any means.

**REFERENCES:**

KRS 160.290  
KRS 160.340  
KRS 161.180  
704 KAR 7:160

**RELATED POLICIES:**

09.2212  
09.43

Adopted/Amended:  
Order #:

## **Suspension**

### **WHO MAY SUSPEND**

In accordance with KRS 158.150, the Principal or assistant Principal may suspend a pupil up to a maximum of five (5) days per incident.

The State Supervisor may suspend a pupil up to a maximum of ten (10) days per incident. Procedures mandated by federal and state law for students with disabilities shall be followed.<sup>2</sup>

### **LENGTH OF SUSPENSION**

A pupil may not be suspended for more than a total of ten (10) days per incident.

Suspension of primary school students shall be considered only in exceptional cases where there are safety issues for the child or others, as determined by the State Supervisor/designee.

### **PRIOR DUE PROCESS REQUIRED**

A pupil shall not be suspended until due process procedures have been provided as described in KRS 158.150 (09.431)<sup>1</sup>, unless immediate suspension is essential to protect persons or property or to avoid disruption of the educational process.

### **IMMINENT DANGER**

In such cases, due process shall follow the suspension as soon as practicable, but no later than three (3) school days after the suspension.

### **WRITTEN REPORT REQUIRED**

The Principal or assistant Principal shall report any suspension in writing<sup>1</sup> immediately to the Superintendent and to the parent of the pupil being suspended. The written report shall include the reason for suspension, the length of time of the suspension, and the conditions for reinstatement.

### **REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>20 U.S.C. Sections § 1400 et seq; 707 Chapter 1; Honig v. Doe, 108 S.Ct. 592(1988)

OAG 77-419; OAG 77-427; OAG 77-547

OAG 78-392; OAG 78-673

707 KAR 1:340

Goss v. Lopez, 419 US 565 (1975)

### **RELATED POLICIES:**

09.43

09.431

Adopted/Amended:  
Order #:

## **Expulsion**

### **KENTUCKY BOARD OF EDUCATION (KBE) MAY EXPEL**

The KBE may expel any pupil from the school for misconduct as defined by law. Provision of educational services will be required unless the KBE determines, on the record and supported by clear and convincing evidence, that the expelled student posed a threat to the safety of other students or school staff and could not be placed in a state-funded agency program.<sup>1</sup>

Behavior that may be determined to pose a threat shall include, but not be limited to, the physical assault, battery, or abuse of others; the threat of physical force; being under the influence of drugs or alcohol; the use, possession, sale, or transfer of drug or alcohol; the carrying, possessing, or transfer of weapons or dangerous instruments; and any other behavior that may endanger the safety of others.

The Kentucky Department of Education (KDE) shall present to the KBE for its approval options for providing educational services to expelled students.

### **HEARING AND RECORDS REQUIRED**

Action to expel a pupil shall not be taken until the parent of the pupil has had an opportunity for a hearing before the KBE.<sup>1</sup> Special education and disciplinary records shall be sent to the KBE for review before the decision is made to expel.<sup>3</sup>

### **KBE DECISION FINAL**

The KBE's decision shall be final.

### **STUDENTS WITH DISABILITIES**

Procedures mandated by federal and state law for students with disabilities shall be followed. (Students with disabilities who are eligible for services under federal law may be expelled for behavior unrelated to their disabilities, as long as legally required procedural safeguards are followed. Educational services must continue for IDEA eligible students who are expelled.)<sup>1&3</sup>

### **TRANSFER OF RECORDS**

Records transferred to another school must reflect the charges and final action of an expulsion hearing if the student was expelled for homicide, assault, or an offense in violation of state law or school regulations governing weapons, alcohol or drugs. Records of a student facing an expulsion hearing on charges described above shall not be transferred until the expulsion hearing process is completed.<sup>2</sup>

### **REFERENCES:**

<sup>1</sup>KRS 158.150

<sup>2</sup>KRS 158.155

<sup>3</sup>Individuals with Disabilities Education Improvement Act of 2004; 707 Chapter 1; Section 504 of the Rehabilitation Act of 1973, as amended.

Honig v. Doe, 108 S.Ct. 592(1988); OAG 78-673

### **RELATED POLICIES:**

05.48, 09.12, 09.423, 09.425, 09.43, 09.431, 09.434

Adopted/Amended:  
Order #:

## **Search and Seizure**

### **REASONABLE SUSPICION**

No pupil's outer clothing, pockets, or his or her personal effects (e.g., handbags, backpacks, etc.) shall be searched by authorized school personnel unless there are reasonable grounds to believe the search will reveal evidence that the pupil has violated or is violating either a school rule or the law.<sup>1</sup> Search of a pupil's person shall be conducted only with the express authority of the Principal/designee.

### **AUTHORIZED PERSONNEL**

Searches of a pupil's person or his or her personal effects shall only be conducted by a certified person directly responsible for the conduct of the pupil or the Principal/designee of the school. However, when an immediate threat to the health or safety of others occurs off site with no certified employee reasonably available, a non-certified person (i.e., bus driver or coach/sponsor) that is responsible for the students is authorized to conduct the search of a student or his/her personal effects. Examples of immediate threats would include reasonable suspicion of the presence of illegal drugs or a weapon.

### **WITNESS/PERSONAL SEARCHES**

When a pat-down search of pupil's person is conducted, the person conducting the search shall be the same sex as the pupil; and a witness of the same sex as the pupil shall be present during the search. In addition, no search of a pupil shall be conducted in the presence of other students.

These restrictions shall not apply to situations involving an imminent threat to students or staff where immediate action is required to prevent harm to health and safety.

### **STRIP SEARCHES**

No strip searches of students shall be permitted.

### **FAILURE TO COOPERATE**

Students who fail to cooperate with school authorities when requested to shall be subject to other disciplinary action.

### **REGULAR INSPECTION**

School property, such as lockers, desks, and network systems, technology resources and accounts owned or supplied by KSB/KSD are jointly held by the school and the pupil. School authorities have the right to conduct general inspection of all such property and resources on a regular basis. During these inspections, items which are school property, such as overdue library books, may be collected. Students should not expect privacy for items and information left in such locations. A single desk, locker or a technology resource/account may be searched if reasonable grounds exist to believe that evidence of a violation of the law or a school rule is contained therein.

### **ILLEGAL ITEMS**

Illegal items (e.g., weapons, drugs, etc.) or other possessions reasonably determined by proper school authorities to be a threat to the pupil's safety or to others' safety and security may be seized by school officials.

**Search and Seizure****OTHER DISRUPTIVE ITEMS**

Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the pupil's possession by a staff member. Such items may be returned to the pupil by the staff member or through the Principal's office.

**DISPOSITION OF ITEMS**

All items which have been seized shall be turned over to the proper authorities or returned to the true owner.

**REFERENCES:**

<sup>1</sup>New Jersey vs. T.L.O., 105 S.Ct. 733 (1985)  
KRS 161.180; KRS 531.335  
Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (2009)

**RELATED POLICIES:**

08.2323; 09.4261

Adopted/Amended:  
Order #:

**Police Officers in the School**

School officials shall cooperate with law enforcement agencies in cases involving students (i.e., serving of subpoenas, juvenile petitions or warrants, or taking students into custody.) As soon as possible, officials shall endeavor to notify the parents of students who are arrested.<sup>1</sup>

When students are arrested at school, the Principal/designee shall make a written record of the identity of the officer making the arrest, the nature of the offense charged, the name of the issuing authority of any arrest warrant, and the place of custody.

**CRIMES OFF SCHOOL PROPERTY**

In the interest of the student's welfare, the following requirements shall be followed when police officers ask to question or remove a student from the school whom they suspect of committing a crime off school property:

1. Parents/guardians shall be notified by school officials as soon as possible.
2. If the parent(s) come to the school or consent to permit the officer(s) to interview the student, a private place for the interview shall be provided.
3. If the parent(s) cannot come to the school and do not consent to the interview, the police should be advised to either bring a warrant, court order, or juvenile petition or arrange to interview the student off the school grounds.
4. If the student is an alleged victim of abuse or neglect by a parent, school officials shall follow directions provided by the investigating officer or Cabinet for Families and Children representative as to whether to contact a parent.<sup>2</sup>

**CRIMES ON SCHOOL PROPERTY**

Except in cases of emergencies involving threats to health and safety as determined by the State Supervisor, when KSB/KSD calls law enforcement officials to question students concerning crimes committed on school property, the Principal shall make an effort to notify their parent(s).

**REFERENCES:**

<sup>1</sup>OAG 76-129

<sup>2</sup>OAG 85-134, OAG 92-138

**RELATED POLICY:**

09.1231

Adopted/Amended:  
Order #:

**Student Discipline Code****DEVELOPMENT**

In accordance with KRS 158.148 and 704 KAR 7:050, KSB/KSD shall develop a student discipline code that shall be posted at each school, referenced in the school handbook, and provided to school employees, parents, legal guardians, or other persons exercising custodial control or supervision. As required by KRS 158.148, a process shall be developed to provide information to those parties and to train employees.

The code shall establish standards of acceptable student behavior and discipline and may include standards of behavior for students who participate in extracurricular and co-curricular activities.

The code also shall include a process addressing how students can report code violations to KSB/KSD personnel for appropriate action and information regarding the consequences of violating the code and violations reportable under KRS 158.154, 158.156, or 158.444.

**DISTRIBUTION**

Once reviewed and approved, the student discipline code shall be distributed to students and parents of KSB/KSD, including those students who enroll during the school year.

**REVIEW**

KSB/KSD shall update the student discipline code at least every two (2) years.

**REPORTING OF DATA**

As directed by the Kentucky Department of Education (KDE), KSB/KSD shall report to the Center for School Safety when a student has been disciplined by the school for a serious incident, as defined by KDE; charged criminally for conduct constituting a violation under KRS Chapter 508; or charged criminally under KRS 525.070 or KRS 525.080 in relation to a serious incident.

Data collected on an individual student committing a reportable incident shall be placed in the student's disciplinary record.

**REFERENCES:**

KRS 158.148; KRS 158.153; KRS 158.154; KRS 158.156; KRS 158.165  
KRS 158.444; KRS 160.295  
KRS 525.070, KRS 525.080  
704 KAR 7:050, *Student Discipline Guidelines*, Kentucky Department of Education

**RELATED POLICIES:**

09.2211, 09.3, 09.42, 09.421, 09.422, 09.426, 09.42811

Adopted/Amended:  
Order #:

## Civility

### **BOARD INTENT**

The Kentucky Board of Education invites parental and community member involvement and recognizes that the vast majority of input received will be of a constructive and civil nature. This policy is designed to address those rare instances where that is not the case.

While it is not the Kentucky Board of Education's intent to deny an individual's right to freedom of expression, it has the responsibility to maintain, to the extent possible and reasonable, safe, harassment-free schools, school activities, and workplaces for students and staff and to minimize disruptions to the KSB/KSD's programs.

### **PREPARATION OF EMPLOYEES**

The Principal/designee shall implement intervention and response training to notify employees of this policy and their corresponding responsibilities and to prepare them to deal with incidents of incivility.

### **BEHAVIOR STANDARDS**

Persons coming onto KSB/KSD property shall be under the jurisdiction of the Principal or designee.

KSB/KSD employees shall be courteous and helpful in interacting and responding to parents, visitors, and members of the public. In turn, individuals who come onto KSB/KSD property or contact employees on school or KSB/KSD business are expected to behave accordingly. Specifically, actions that are discouraged and may warrant further action include, but are not limited to:

1. Cursing and use of obscenities,
2. Disrupting or threatening to disrupt school or office operations,
3. Acting in an unsafe manner that could threaten the health or safety of others,
4. Verbal or written statements or gestures indicating intent to harm an individual or property, and
5. Physical attacks intended to harm an individual or substantially damage property.

Employees who fail to observe these standards in their own behavior shall be subject to appropriate disciplinary measures, up to and including dismissal.

### **EMPLOYEE OPTIONS**

In cases involving physical attack of an employee or imminent threat of harm, the first priority shall be for employees to take immediate action to protect themselves and others. In absence of an imminent threat, employees shall attempt to calmly and politely inform the individual of the provisions of this policy and/or provide him/her with a copy. However, if the individual continues to behave in a discourteous and uncivil manner, the employee may respond as needed, to include, but not be limited to, the following options:



**Civility**

**EMPLOYEE OPTIONS (CONTINUED)**

1. Hang up on a caller;
2. End a meeting;
3. Ask the individual to leave the school;
4. Call the site administrator or designee for assistance; and/or
5. Call the police.

Employees shall submit to their immediate supervisor, as soon as possible, a written incident report for all such occurrences. The Principal/designee, on advice from the Kentucky Board of Education Attorney, shall determine whether an incident indicates the need for a restraining order or pursuit of other legal options on behalf of the KSB/KSD. Individual employees are free to pursue other legal courses of action.

**REFERENCES:**

KRS 161.190, KRS 503.110, KRS 518.090

**RELATED POLICIES:**

09.425, 10.5

Adopted/Amended:  
Order #:

**Visitors to the Schools****LOCAL CITIZENS**

The Kentucky Board of Education encourages parents, professional educators, and others who have legitimate educational interests pertaining to the KSB/KSD's public school program to visit the schools. To ensure that school personnel are aware of visitors' presence, all visitors must report immediately to the Principal's office upon entering the school and identify themselves, as well as declare their purposes for visiting.

**REGISTRANTS**

No registrant, as defined in KRS 17.500, nor any person residing outside of Kentucky who would be required to register under KRS 17.510 if the person resided in Kentucky, shall be on the clearly defined grounds of a KSB/KSD school, except with the advance written permission of the Principal or the Kentucky Board of Education that has been given after full disclosure of the person's status under KRS 17.510 as a registrant or sex offender from another state and all registrant information as required in KRS 17.500.

A registrant is defined as:

1. Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
  - a. A sex crime; or
  - b. A criminal offense against a victim who is a minor; or
2. Any person required to register under KRS 17.510; or
3. Any sexually violent predator; or
4. Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

A registrant who is the parent/legal guardian, or the person designated by the parent/legal guardian to have access to a student, must request and receive prior permission from the Principal to come onto school grounds. The Principal shall determine whether the requesting registrant is permitted to come onto school grounds for the following reasons:

1. To pick up or drop off their child each day.
2. To pick up the child who is injured or ill.
3. To confer with school staff concerning academic, disciplinary or placement issues involving the student, including matters required by federal or state law.
4. To attend a school activity, including athletic practices and competition, in which the student is a participant.
5. To vote when the school has been designated as a polling place.

Depending on the facts of the particular request, the Principal's response options may include, but are not be limited to the following:

- Requiring the registrant to provide additional information needed;
- Specifying check-in and check-out requirements;
- Requiring the registrant to be directly supervised by an individual designated by the Principal while on school grounds;
- Restricting the registrant to a designated location on school grounds;

**Visitors to the Schools****REGISTRANTS (CONTINUED)**

- Limiting the time the registrant will be permitted to be on school grounds; and
- Denying the request to come onto school grounds.

The Principal shall notify the Kentucky Department of Education/designee of each request from a registrant and the response made to the registrant. If questions arise about a request, the Principal shall consult with the State Supervisor concerning requests from registrants, and the State Supervisor may seek further advice from the Kentucky Board of Education Attorney.

For all other reasons and for all individuals making a request other than parent/legal guardian/designee, the Principal shall consult with the State Supervisor before making a final determination.

**OUTSIDERS**

Professional educators and citizens who are from other communities and who wish to observe the schools in operation are welcome. Arrangements for such visits must be made in advance with the Superintendent.

**CONDUCT**

All visitors to the schools must conduct themselves so as not to interfere with the daily operation of the school program.

**ACCOMMODATION**

Visitors with disabilities shall be accommodated as required by law. Individuals requesting accommodation shall contact the District ADA/504 Coordinator for assistance and guidance. Accommodations may include, but are not limited to, the following considerations:

- Effective communication
- Event ticket sales accommodation
- Companion seating at events
- Use of power driven mobility devices
- Use of service animals

The KSB/KSD shall notify the public of any requirements and/or deadline for requesting such accommodation.

**USE OF TOBACCO PROHIBITED**

The use of any tobacco product is prohibited in any building owned or operated by the KSB/KSD.

**REFERENCES:**

KRS 17.545; KRS 17.500; KRS 17.510  
KRS 160.380; KRS 211.394, KRS 211.395; KRS 600.020; OAG 91-13  
P. L. 107-110 (No Child Left Behind Act of 2001)  
Section 504 of the Rehabilitation Act of 1973

**RELATED POLICIES:**

05.3; 09.227, 09.3211

Adopted/Amended:  
Order #: